

HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY

James H. Rayfield

DATE

January 6, 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re:

Patent Application Of
Halvorsen et al.

: Group Art Unit:
: 1651

Serial No.: 10/061,214

Filed: March 14, 2002

For: DIFFERENTIATION OF ADIPOSE
STROMAL CELLS INTO OSTEOBLASTS
AND USES THEREOF

: Examiner:
: Leon B. Lankford, Jr.
:
: Attorney Docket No.:
: 599955004CT1
:
:

TERMINAL DISCLAIMER TRANSMITTAL LETTER

Submitted herewith is a Terminal Disclaimer in accordance with 37 C.F.R. 1.321(c) with respect
to the above-captioned patent application.

[X] A check for filing a Statutory disclaimer in the amount of \$ 65.00.

[X] The Commissioner is hereby authorized to charge Deposit Account No. 50-0573 any
deficiencies or overpayments in the above-calculated fee.

Respectfully submitted,

Halvorsen et al.

January 6, 2006
(Date)

By:

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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.



Leanne R. Rayfield DATE: January 6, 2006

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In re: Patent Application Of : Group Art Unit:
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For: DIFFERENTIATION OF ADIPOSE : Attorney Docket No.:
STROMAL CELLS INTO OSTEOBLASTS : 599955004CT1
AND USES THEREOF :

TERMINAL DISCLAIMER IN COMPLIANCE WITH 37 C.F.R. § 1.321(c)

In accordance with 37 C.F.R. 1.321(c), Petitioner, Artecel Sciences, Inc., represents that it is assignee of the whole and entire right, title and interest in and to the above-captioned application, which is a continuation application of U.S. application No. 09/554,868, filed May 19, 2000, now U.S. Patent 6,391,297 ("the parent patent). The parent patent was assigned to Petitioner by an Assignment recorded in the U.S. Patent and Trademark Office on May 19, 2000, at Reel 010885, Frame 0857. Based on a review of evidentiary documents relating to the chain of title from the original owner to Petitioner, the undersigned hereby certifies that to the best of her knowledge and belief, both present applications and the prior patents are commonly owned by Petitioner.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 of the parent patent. Petitioner hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that it and the parent patent are commonly owned. This agreement runs with any patent granted on the present application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the present application that would extend to the expiration date of the full

statutory term defined in 35 U.S.C. § 154 to § 156 of the parent patent, in the event that it later; expires for failure to pay a maintenance fee, is held unenforceable or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or is terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a re-examination certificate, or is in any matter terminated prior to the expiration of its full statutory term.

The undersigned official of Petitioner is empowered to act on behalf of Petitioner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Halvorsen et al.

January 6, 2006
(Date)

By:

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